

**CITY OF BLOOMINGTON
TELECOMMUNICATIONS
COUNCIL**

**Summation of Minutes
Tuesday June 5, 2007**

I. Introduction and Comments

Members present:

Duane Busick
Carl Zager
Eric Ost
Suzann Owen
Jesse Strycker

Others present:

Michael White, CATS
Justin Goodwin
Rick Dietz
Phil Meyer, WTIU

Public:

II. Approval of Minutes

Busick motioned to approve the May 1, 2007 minutes. Owen moved to approve as written. Strycker seconded.
All in favor. 5-0-0.

Old Business

A). Rewriting of the Telecommunications Ordinance

IV. Public Comment

No one from the public was present.

Reports and Announcements

A). BTC Members

Owen wanted to address an inquiry she had received regarding a mailing that ATT had sent out regarding their telephone service. Owen stated that the mail out was very confusing to the recipients. The mailing was regarding privacy of each household. All that appears to be done is that ATT has posted the existing tariff that they have with the IURC for telephone service. The new law takes away regulation of local telephone service unless a customer only subscribes to basic phone service; anything above that with any added phone features goes unregulated. The IURC does not have customer standards regarding a cable franchise. The mailing was something that residents should read unless they only have basic phone service. Busick stated that they have repeatedly talked about the effects the new legislation will have on cable providers, but thinks that telephone service deregulation is actually more affected. Busick stated by the end of 2007 deregulation will be in full effect. Owen stated that there is still a great concern with the future of the PEG Channels with the new legislation.

Owen stated that she and Ost attended a meeting with ATT and CATS. Michael White, Rick Dietz and Martin O'Neill were also in attendance for the meeting. The meeting was regarding their launch of video services in Bloomington. ATT told them that their UVerse will be very different from regular cable, though it still falls under the definition of video services. State law does require ATT to carry the PEG Channels, though they are currently not providing the channels to their subscribers. ATT are still not ready to deliver the channels and are testing in Texas and told them that Bloomington was blessed to already be receiving this technology that they are providing in Texas. Ost stated that they are only marketing to people that contact ATT about the service. Owen stated she made ATT aware that Bloomington does not consider themselves Indianapolis and that the City should be treated this way when ATT decides to market to their subscribers. Ost stated that after the meeting they had with ATT that his research has shown that there were a lot of concerns in Texas with the technical platform. ATT did say, at the meeting, that they do intend to provide the PEG Channels by the end of 2007. Owen stated that ATT told her that they intended to contact WTIU. White stated that at the ATT meeting that ATT made him aware that they were not the technical team and could not answer the technical questions that they had, but gave him the paperwork to review. White stated that any legal slippery slopes that may come through regarding the PEG Channels will hopefully go smoothly, but time will tell. White stated that he hopes that ATT accepts their invitation to attend the TCC meetings; he thinks it would be very informative to them and a chance to see how the council works. White stated that, from a business point, it would be hard for ATT to actually realize the importance of the access channels, but thinks that the word will quickly get around and be conveyed to ATT the importance of them. Ost stated that he has talked to citizens about UVerse and that they would be hesitant to subscribe if the PEG Channels were not available through the service. Busick invited Dietz to the podium to share his thoughts on the meeting. Dietz thanked Ost and Owen for taking their time

to attend the meeting. Dietz stated that ATT had not made him aware of how frequent their communication was going to be with the council.

Zager stated that he thinks this whole issue is larger than just ATT and the council needs to be working together to make their concerns and thoughts known regarding all aspects of video services; all the things that were not included in the legislation. Zager stated that this needs to be done as a positive approach so that everyone knows exactly what is still important to the council. Owen let Zager know that they did mention the importance of the emergency alerts at the meeting with ATT.

Busick stated that they had received the franchise fee check from ATT for the 1st Quarter of 2007 in the amount of \$63.79 from gross revenue of \$1,275.80.

Ost wanted to motion that the council and the City of Bloomington become members of the Alliance for Community Media. Zager seconded the motion. All in favor. 5-0-0.

Ost wanted to motion that the council prepares a sub-committee to prepare a guide for new service providers so that there is a document and/or guidelines for any new video service providers coming into the area. Zager seconded the motion. All in favor. 5-0-0.

Busick wanted to change the meeting date from July 3, 2007 to July 10, 2007 due to the Fourth of July holiday. Goodwin told the council he would inform them as to whether or not the Council Chambers were available after the Board of Public Works meeting.

Zager asked who they were currently communicating through with Insight. Busick said other than the reports and the franchise checks, he has not had contact with any real people from Insight but that he would make sure to get a contact person for the council.

Busick stated, to the public, that the community was more than welcome to contact the council with any ideas or suggestions they have for the new legislation.

B.) CATS

The report is in the official record.

Michael White presented the report to the council.

White presented April 2007 and May 2007 reports to the council.

Strycker asked about a part of the April 2007 report at the bottom that stated a $\frac{3}{4}$

inch tape had come back from repair and wanted to know if this tape was BETA. White stated that $\frac{3}{4}$ inch tape has better horizontal resolution than VHS, but it is not in its heyday anymore and so CATS is trying to save them by saving the information on their hard drives or disc for future use. Strycker asked about the same report and the mention of the Tele star satellite system and was this just an adjustment or a sign of corrosion. White stated that this is an analog feeder, not a digital feeder, and that wind may have been the cause of the problem and that after tweaking it a little bit it is now working just fine.

C.) WTIU

The report is in the official record.

Phil Meyer presented the report to the council.

Meyer wanted to let the council know that on February 18, 2009 approximately seventy million people's televisions will be rendered useless as the analog signals return to the FCC. The digital signal will be down converted to be compatible with their television sets.

The electronic field trips are over for the season and they will resume in October 2007.

PBS will be transitioning its prime time service to high definition in the fall of 2008. In February of 2009 the carriage agreements with the major MSO's will, which includes Comcast, Insight and Time Warner, will be introducing up to four digital services and these will be carried on those signatories according to the national agreement. There is no digital "must carry" in the cable world, so it is has become a case of "must convince" them to carry these services. Meyer stated that there is a clause, though it is not defined, that a broadcast can deny a service if they feel as they are overlapping their programming and if it the programming is too much alike. Meyer stated that there will be dropping of some channels and lawsuits over the next year and a half while this whole thing develops. WTUW will try to negotiate carriage and compensation for the four channels they are going to be developing over the next eighteen months. TIU2 as it stands now will probably add children and educational services and how to programming (This Old House, etc) will be added. The TIU2 schedule will start to change slightly in January 2008 when the state house coverage takes over.

Strycker stated that he had not been able to catch any of the great performances at the MET but wanted to asked Meyer if there are subtitles available for those and are there any second audio channels. Meyer stated that there are subtitles but that the second audio channels are used for Spanish programming primarily, operas do have subtitles but the particular one that Strycker mentioned he was not sure if it had subtitles or not.

D.) Insight Communications

No one from Insight was present.

Busick had the franchise fees for the 1st Quarter of 2007 from Insight. The amount was \$158,000.72. Ost asked if that was based on gross revenue. Busick stated that it was and that the gross revenue for the 1st Quarter was \$3,161,434.36 and five percent of that money goes to the City of Bloomington for the franchise fee. Busick stated that if memory serves him the fee is about \$4,000.00 more dollars than 1st Quarter in 2006.

E.) Bloomington Digital Underground

Rick Dietz was present.

Dietz wanted to touch on what types of information would be useful to the council and that he would be happy to generate reports like Insight does regarding infrastructure, information, etc. Ost stated that the BDU has been a stellar success. Dietz stated that to facilitate the advisory meetings would be a huge benefit to get the public more involved. Owen had questions about the economic development aspect and wanted know if there were measures for this and was the BDU supplying services to companies who have moved into the community. Dietz stated that this has been brought up

in many meetings and that he would make a distinction between hard development and soft development. There has been very innovative thinking regarding BDU policies. A not for profit or the public would be who would benefit from the BDU's infrastructure. Busick stated this goal is to be able to provide a forum with what is happening with the BDU and possibly bring in fresh ideas. Dietz wanted to thank the council for all that they do and handling all the changes that have come along with the new legislation so well. Dietz stated that he thinks that education outreach is very important.

III. Old Business

A.) The role of the BTC.

IV. New Business

V. Adjournment

The next official meeting of the Telecommunications Council is tentatively set for Tuesday July 10, 2007 at 7:30 in the Council Chambers.